

LBNL – PROCUREMENT STANDARD PRACTICES

Section: 15

Subcontracting by Negotiation

Subject: 15.3

**Late Submissions, Modifications, and
Withdrawals of Proposals**

PURPOSE: This standard practice (SP) outlines the procedure for accepting a late response to a solicitation or a modification to a proposal and for extending a solicitation due date.

POLICY: Laboratory policy is to accept late offers if it will not result in the supplier gaining an unfair competitive advantage and it is in the best interest of the Laboratory to do so.

SCOPE: This SP applies to all negotiated subcontracts.

DEFINITION:

Modification Modification means a modification to a proposal, including best and final offers.

Proposal Proposal refers to an offer or bid submitted in response to the solicitation.

PROCEDURES:

Acceptance of Late Proposals or Modifications The procurement specialist may accept late proposals or modifications to proposals (those received after the solicitation closing date but prior to award) if it will not result in the supplier gaining an unfair competitive advantage and it is in the best interest of the Laboratory to do so. If a late proposal or modification to a proposal is accepted, then all late proposals or modifications to the proposal must be accepted. The procurement specialist will briefly state the reason for acceptance of late proposals or modifications to proposals in the file.

Disposition of Unaccepted Late Proposals or Modifications If any late proposal or modification to a proposal is not accepted, then all late proposals or modifications to the proposal must also not be accepted. The procurement specialist will notify offerors that submitted unaccepted late proposals or modifications to proposals that they were non-responsive to the solicitation.

Withdrawals Responses to solicitations may be withdrawn by an offeror if the withdrawal is received any time before award by means of written notice; e-mail; facsimile; or in person.

Extension of Proposal Due Date The procurement specialist must coordinate extensions of the proposal due date with the requester and notify all offerors of the extension.

RESPONSIBILITIES:

Procurement Specialist The procurement specialist must ensure that:

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- Late proposals or modifications to proposals are accepted if it will not result in the supplier gaining an unfair competitive advantage and it is in the best interest of the Laboratory to do so;
- Offerors submitting unaccepted late proposals or modifications to proposals are notified of their non-responsiveness to the solicitation;
- Extensions of the proposal due date are coordinated with the requester; and
- All offerors are notified when the closing date is extended.